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FILED
DISTRICT COURT OF GUAM

MAR 31 2006

MARY L.M. MORAN
CLERK OF COURT

IN THE DISTRICT COURT OF GUAM

IGNACIO T. REYES and)	CIVIL CASE NO. 06-00010
ESPRECIOSA L.G. REYES,)	
)	
Plaintiffs,)	
)	
vs.)	ANSWER
)	
LPP MORTGAGE LTD. and)	
COUNTRYWIDE HOME LOANS, INC.,)	
)	
Defendants.)	

Defendants answer the Complaint as follows:

FIRST DEFENSE

Defendants assert that the allegations contained in Paragraph 1 of the Complaint are legal conclusions to which no response is necessary and affirmatively allege that this case has been properly removed to this court; admit the allegations contained in Paragraphs 3, 15 and 16; admit the allegations of Paragraph 7 with the exception of the last sentence; admit the allegations of Paragraph 8 with the exception of the last sentence; allege that they are without knowledge or information sufficient to form a belief as to the truth of the allegations

1
2 contained in Paragraphs 2, 5, 6, 36 and 37; admit Paragraph 15 to
3 the extent that it alleges the dismissal of the bankruptcy case;
4 admit and deny the allegations of Paragraphs 11, 21, 26, 30, 33,
5 38 and 44 as they are admitted, denied or otherwise responded to
6 in this Answer; and deny each and every other allegation
7 contained in the Complaint.
8

9 SECOND DEFENSE

10 The Complaint fails to state a claim upon which relief may
11 be granted.

12 THIRD DEFENSE

13 Plaintiffs are barred from seeking any relief pursuant to
14 the doctrines of waiver and estoppel.
15

16 FOURTH DEFENSE

17 Plaintiffs have not plead fraud, mistake or condition of the
18 mind with the particularity that is required by FRCP 9(b).
19

20 FIFTH DEFENSE

21 The Complaint is barred by the defense of accord and
22 satisfaction.

23 SIXTH DEFENSE

24 The Complaint is barred by the defense of laches.

25 SEVENTH DEFENSE

26 The Complaint is barred by the applicable statute of
limitations.

EIGHTH DEFENSE

The Complaint is barred by the doctrine of unclean hands.

NINTH DEFENSE

Defendants are exempt from obtaining a Guam Business License
by 11 G.C.A. Section 70103(e)(8) and 11 G.C.A. Section
70103(e)(11).

TENTH DEFENSE

Any and all actions or failures to act by Defendants were
not the proximate cause of any injury or damage suffered by
Plaintiffs.

ELEVENTH DEFENSE

Plaintiffs are barred from obtaining any relief as pleaded in
the Complaint because of Plaintiff's failure to take steps to
mitigate any damages.

Dated this 31st day of March, 2006.

McCULLY & BEGGS, P.C.
Attorneys for Plaintiffs

BY: 

MARK S. BEGGS

f# 3695-638